



भारत का राजपत्र

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह भलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग III—खण्ड 4

PART III—SECTION 4

विविध विकायों द्वारा आरी की गई विविध अधिसूचनाएं जिसमें अधिसूचनाएं, आदेश, विज्ञापन और सूचनाएं अन्वयित हैं

Miscellaneous Notifications including Notifications, Orders, Advertisements and Notices issued by the Statutory Bodies

रेल दर अधिकरण, मन्त्रालय के समक्ष

(रेल दर अधिकरण नियमावली 1959 के नियम 19(3) और

(4) के अधीन सार्वजनिक सूचना)

1966 की शिकायत सं० 4

दि वेस्ट कोस्ट पेपर मिल्स लिमिटेड

बनाम

भारत संघ जो दक्षिण मध्य रेलवे का स्वामी है और

जिसका प्रतिनिधित्व दक्षिण मध्य रेलवे, सिक्किम-
बांड के जनरल मैनेजर द्वारा किया जाता है।

यतः उपर्युक्त शिकायतकर्ता ने भारतीय रेल अधिनियम 1890, भारा 41(1) के अधीन शिकायत की है कि मैसूर राज्य के उत्तर कञ्चड़ जिले के बांगुरनगर, डांडेली में उनका एक कागज का कारखाना है; अलनावर-डांडेली शाखा लाइन 32 कि० मी० है; 1-2-1964 के पूर्व अलनावर से और अलनावर को मुख्य लाहन द्वारा भेजे जाने-वाले माल यातायात को भा० ० रे० स० सं० की भाड़ा सूची के अनुसार सामान्य दर पर प्रभारित किया गया था और अलनावर और डांडेली के बांच भेजे जाने वाले सभी माल यातायात को नये रूप से किया गया बुकिंग मानकर एक समान दर पर प्रभारित किया गया था; उपर्युक्त पद्धति से असंतुष्ट होकर शिकायतकर्ता ने डांडेली को और बहां से भेजे जाने वाले अपने यातायात पर अवरित मील दूरी के आधार पर वर्ग-दरों को लागू कराने के लिए दक्षिण रेलवे की निदेशित करने की प्रार्थना करते हुए रेल दर अधिकरण के समक्ष 1963 की शिकायत सं० 4 प्रस्तुत की है, उपर्युक्त शिकायत के निर्णयाधीन रहते समय दक्षिण रेलवे ने 1-2-64 से मानक सरकारी प्रभार को अलनावर-डांडेली के बीच 96

कि० मी० की दूरी पर चालू किया जब कि अलनावर और डांडेली के बीच की वास्तविक दूरी 32 कि० मी० है। उस पर शिकायतकर्ता ने अपनी शिकायत का संशोधन करते हुए अधिकरण से प्रार्थना की कि अलनावर और डांडेली के बीच भी अपने यातायात पर दूरी के बदले एक समान वास्तविक अविरत दूरी पर दरों और प्रभारों को लागू करने का निदेश रेलवे को दिया जाय; अधिकरण ने उपर्युक्त 1963 की शिकायत सं० 4 के सम्बन्ध में दिये गये 18-4-1966 के अपने निर्णय में कहा कि “हम एतद्वारा घोषित करते हैं कि अलनावर डांडेली खंड के लिए लागू होने वाली स्फीत दूरी पर वर्ग-दर को लागू करना भारतीय रेल अधिनियम की धारा 28 के विश्व शिकायतकर्ता को अनुचित हानि पहुंचाता है और स्वतः डांडेली को और डांडेली से भेजे जाने वाले शिकायतकर्ता के यातायात पर की दरों को अनुचित ठहराता है; भारत संघ ने 1963 की शिकायत सं० 4 पर अधिकरण के निर्णय और आदेश के विश्व सर्वोच्च न्यायालय में अप्राप्त की और स्थिगित करने के लिए कैफियत दायर की और चूंकि स्थिगित करने के लिए उनकी कैफियत सर्वोच्च न्यायालय द्वारा अस्वीकृत की गयी, दक्षिण मध्य रेलवे ने 5-11-1966 को शिकायत में निर्दिष्ट विशिष्ट स्टेशन जोड़ों के बीच केवल निर्दिष्ट मालों के लिए वास्तविक दूरी पर, वर्ग-दर पर स्टेशन-से-स्टेशन की दरे प्रभारित की; 1963 की शिकायत सं० 4 में अधिकरण के निर्णय के अनुसार जब तक बहन में उक्त शाखा लाइन शामिल है तब तक किसी भी स्टेशन से या स्टेशन को निर्दिष्ट माल प्रेषित हों तो उनके सम्बन्ध में अलनावर-डांडेली शाखा लाइन पर स्फीत दूरी पर वर्ग-दरों से उन्मुक्ति पाने के लिए वह शिकायतकर्ता स्वतः हक्कावार है; चूंकि प्रत्यर्थी ने शिकायत में

विशिष्ट रूप से निर्दिष्ट स्टेशनों से इतर स्टेशनों से प्रेषित यातायात के सम्बन्ध में स्फीत दूरी पर वर्ग-दर प्रभारित करते रहता है, उनको शिकायत के परिशिष्ट 'क' में निर्दिष्ट इतर 97 स्टेशन जोड़ों के सम्बन्ध में उन्मुक्ति पाने के लिए इस शिकायत को दायर करना पड़ा; नीचे दिये गये निर्दिष्ट मालों के सम्बन्ध में यातायात के बहन प्रभार भेदमूलक है और रेल अधिनियम की धारा 28 के उपबन्धों का उल्लंघन करते हैं क्योंकि भारत के इतर प्रदेशों में स्थित कागज के कारखानों को स्फीत दर पर प्रभारित करके उनके साथ भेदमूलक व्यवहार नहीं किया जाता। शिकायतकर्ता द्वारा उत्पादित कागज और पल्प बोर्ड भारत में विभिन्न स्थानों को प्रेषित किये जाते हैं और जहाँ उन्हें इतर कारखानों से प्रतियोगिता का सामना करना पड़ता है और स्फीत दूरी के फलस्वरूप अतिरिक्त भाड़ा देने पड़ने के कारण अनुचित रूप से पक्षपात युक्त होते हैं; यह हानि और पक्षपात केवल प्रत्यर्थी द्वारा अनुचित स्फीत दूरी के आधार पर उनके यातायात को प्रभारित करने की कार्यनीति के कारण हुआ था; निर्दिष्ट 97 स्टेशन जोड़ों के बीच नीचे दिये गये मालों के बहन भाड़ा स्वतः अनुचित है और जब कि वास्तविक दूरी केवल 32 कि० मी० है, 96 कि० मी० के लिए भाड़ा प्रभारित करके बमूल बरना स्वतः अनुचित है।

और यह: शिकायतकर्ता ने प्रार्थना की है कि (1) शिकायत के परिशिष्ट 'क' में उल्लिखित सौपूस्टोन चूरा, सौपस्टोन, बांस, भट्ठी का तेल, दाहक सौडा, सौडा, गांब, रोजिन, चूतापथर, ऐनम, सोडियम, मल्फेट, कागज और पल्प बोर्ड आदि मालों के लिए 97 स्टेशन जोड़ों के बीच स्फीत दूरी पर भाड़ा बमूल करने के बदले अलनावर डांडेली के बीच और डांडेली अलनावर के बीच अविरत वास्तविक दूरी पर मानक दर और भाड़ा बमूल करने के

RESERVE BANK OF INDIA

Central Office

(Department of Banking Operations and Development)

Bombay-1, the 23rd March 1967

DBOD. No. 81/C.404-67.—In pursuance of sub-section (2) of section 36A of the Banking Regulation Act, 1949, the Reserve Bank of India hereby notifies that the Moolankuzhi Union Bank Ltd., Thoppumpady, has ceased to be a banking company within the meaning of the said Act.

M. S. NADKARNI
Chief Officer.

STATE BANK OF INDIA

Bombay, the 16th March 1967

The following appointments on the Bank's staff are hereby notified:—

Shri N. C. Chauhan was Agent, Vasco Da Gama Branch, temporarily as from the close of business on the 27th December 1966 to the close of business on the 18th February 1967, vice Shri A. G. Pandit.

R. K. TALWAR
Secretary & Treasurer.

THE INSTITUTE OF CHARTERED ACCOUNTANTS

New Delhi-1, the 17th March 1967

No. 4-CA(1)/17/66-67.—In pursuance of Regulation 16 of the Chartered Accountants Regulations, 1964, it is hereby notified that in exercise of the powers conferred by clauses (a)

लिए प्रत्यर्थी निवेशिक किया जाय (2) शिकायत की तारीख से उन्मुक्ति दिया जाय (3) शिकायतकर्ता को खर्चे की अदायगी करायी जाय;

और यह: एसा माना जाता है कि और भी इस प्रकार के व्यक्ति होंगे जो रिकार्ड में नहीं हों परन्तु जिनका उपर्युक्त शिकायतकर्ताओं या प्रत्यर्थी के समान इन कार्यवाहियों में समान हित होगा।

अतएव यह सार्वजनिक सूचना रेल दर अधिकरण नियमावली 1959 के नियम 19 (3) और 19 (4) के अधीन दी जाती है ताकि कोई भी व्यक्ति, जो चाहे, इस सूचना में प्रकाशन की तारीख से 30 दिनों के अन्दर शिकायत में प्रेषित उन्मुक्ति की पुष्टि में या विरोध में प्रविष्ट होने की अनुमति के लिए या शिकायत-कतबियों या प्रत्यर्थी के पश्च में जोड़े जाने के लिए प्रस्तावित प्रवेश के आधार और स्थिति को तथा कार्यवाहियों में प्रार्थी के हित को स्पष्ट करते हुए या उक्त मामले में एक पार्टी के रूप में जोड़े जाने का आधार स्पष्ट करते हुए अधिकरण को अर्जी पेश कर सके। इस सार्वजनिक सूचना के बाद अधिकरण द्वारा दिया जानेवाला कोई भी निर्णय से एसे सभी लोगों पर लागू होगा।

आज मार्च 1967 के 25 दिन "अड्यार हाउस", 1, पग्स रोड, राजा अण्णामलैपुरम, मद्रास-28 में मेरे हस्ताक्षर और अधिकरण की मुद्रा के अधीन जारी की जाती है।

द्रिबुनल की मुहर

वी एन गोपाल देशिकन, सचिव
रेल दर अधिकरण

and (b) of Sub-section (1) of Section 20 of the Chartered Accountants Act, 1949, i.e. on account of death and at own request, the Council of the Institute of Chartered Accountants of India has removed from the Register of Members, with effect from the dates mentioned against their names, the names of the following gentlemen :—

S. Member- No.	Name and Address No.	Date of Removal
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UNDER SECTION 20(1)(a) ON ACCOUNT OF DEATH

1. 184	Shri P. Arunajatai 22/9-A, Broadway, MADRAS-1.	22-1-1967
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UNDER SECTION 20(1)(b) AT OWN REQUEST

2. 1521	Mr. George Ernest Richards "Tanglewood", Browning Road, Harpenden, HERTFORDSHIRE. (U.K.).	1-10-1966
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The 18th March 1967

No. 5-CA(1)/9/66-67.—With reference to this Institute's Notification No. 4-CA(1)/14/66-67, dated the 7th February 1967, it is hereby notified in pursuance of Regulation 18 of the Chartered Accountants' Regulations, 1964, that in exercise of the powers conferred by Regulation 17 of the said Regulations, the Council of the Institute of Chartered Accountants of India has restored to the Register of Members, with effect from the 8th March 1967, the name of Shri S. M. Vohra, F.C.A., of National Insurance Building, 204, Dr. D. N. Road, Fort, Bombay-1, (Membership No. 2104).

CHARTERED ACCOUNTANTS

The 1st April 1967

No. 54-EL(1)/2/67.—In pursuance of sub-regulation (1) of regulation 65 of the Chartered Accountants Regulations, 1964, the Council of the Institute of Chartered Accountants of India is pleased to notify that nominations of candidates who desire to stand for the election to the Seventh Council of the Institute, to be held in the year 1967, should be forwarded by Registered Post addressed to Shri C. Balakrishnan, Secretary to the Council at Indraprastha Marg, New Delhi-1, so as to reach him before 5-00 P.M. on the 22nd May 1967. The nominations shall be in the form and manner prescribed under sub-regulation (2) of the said regulation 65. While filing the nominations, candidates should keep in mind the provisions of the Chartered Accountants Regulations, 1964, particularly those contained in regulations 65(2), 66 and 67.

The number of persons to be elected from each Constituency is shown below in Column (2) against the respective constituency, namely :—

<i>Number and name of the Regional Constituency</i>	<i>Number of persons to be elected</i>
(1)	(2)
1. The States of Maharashtra and Gujarat .. .	7
2. The States of Andhra Pradesh, Kerala, Madras and Mysore and the Union Territory of Pondicherry .. .	5
3. The States of Assam, Nagaland, Orissa and West Bengal and the Union Territories of Manipur and Tripura .. .	5
4. The States of Uttar Pradesh, Bihar, Madhya Pradesh and Rajasthan .. .	2
5. Union Territories of Delhi and Himachal Pradesh and the State of Punjab .. .	2

No. 54-EL(1)/3/67.—In pursuance of sub-regulation (1) of regulation 87 of the Chartered Accountants Regulations, 1964, it is hereby notified that the 28th and the 29th July 1967 have been appointed as the days for the recording of votes for the Seventh Election to the Council of the Institute of Chartered Accountants of India for Bombay, Madras, Calcutta, Howrah, Delhi and New Delhi. At all other places where the voting would be conducted by poll, the 28th July 1967 has been appointed as the day for recording of votes.

All polling booths will remain open from 8-30 A.M. to 6-30 P.M.

No. 54-EL(1)/5/67.—In exercise of the powers conferred by sub-regulation (5) read with sub-regulation (7) of regulation 112 of the Chartered Accountants Regulations, 1964, the Council of the Institute of Chartered Accountants of India directs that the sixth election to its—

- (i) Western India Regional Council;
- (ii) Southern India Regional Council;
- (iii) Eastern India Regional Council;
- (iv) Central India Regional Council;
and
- (v) Northern India Regional Council

shall be held in the manner specified hereunder :—

1. *Number of Members to be Elected :*

The number of members to be elected to the different Regional Councils will be :

(i) Western India Regional Council .. .	14
(ii) Southern India Regional Council .. .	9
(iii) Eastern India Regional Council .. .	10
(iv) Central India Regional Council .. .	5
and	
(v) Northern India Regional Council .. .	5

2. *List of Voters, Mode of Election, Date/s of Polling, etc. :*

The list of voters, the mode of election, the date/s of polling, etc. shall be the same as in the case of the Seventh Election to the Council of the Institute.

3. *Nomination of Candidates :*

The nominations shall be in Form 'A' of the Schedule hereto and shall be sent by Registered Post addressed by name to Shri C. Balakrishnan, Secretary, The Institute of Chartered Accountants of India, Indraprastha Marg, New Delhi-1, so as to reach him before 5-00 P.M. on the 22nd May 1967.

4. *Fee :*

Every candidate standing for election shall pay a fee of Rs. 100 (Rupees One hundred only) by a Demand Draft payable at New Delhi and drawn in favour of the Secretary, The Institute of Chartered Accountants of India (by designation). The demand draft shall be submitted alongwith the nomination referred to above.

5. *Withdrawal of Candidature :*

Any candidate may withdraw his candidature by notice in writing signed by him and delivered to the said Shri C. Balakrishnan before 3-00 P.M. on the 9th June 1967. No person who has thus withdrawn his candidature shall be allowed to cancel his withdrawal. Any candidate who withdraws his candidature under this rule shall be entitled, on an application made by him in this behalf to refund of the fee deposited by him under paragraph 4 above.

6. For the purposes of this election, subject to the provisions contained in Chapter VII, the rules regarding election prescribed in Chapter VI shall, as far as possible, apply to the election to the Regional Councils.

SCHEDULE

FORM "A"

FORM OF NOMINATION OF A CANDIDATE FOR ELECTION TO THE ————— INDIA REGIONAL COUNCIL.

We, the undersigned Members of the Institute of Chartered Accountants of India, belonging to the ————— Region, not being in arrears this day in respect of our respective annual membership and/or regional council fees for the current year and being qualified to vote in the election of members to the Regional Council of the said Region, do hereby nominate Shri ————— who is a Member of the Institute and whose name appears in the list of members eligible to vote in the said election, as a candidate for the said election to be held in the year 1967.

- (1) Signature of proposer
Name in Full
Enrolment Number
Address

- (2) Signature of Seconder
 Name in Full
 Enrolment Number
 Address

Dated this _____ day of _____ 19_____.
 I, _____ being a member of the Institute whose name is entered in the list of members eligible to vote belonging to the _____ Region, not being in arrears this day in respect of my annual membership and/or regional council fees for the current year agree to stand for the election to the Regional Council for the said Region to be held in the year 1967.

I send herewith the fee of Rs. 100 (Rupees one hundred only) by Demand Draft No. _____ dated _____ on _____ drawn in favour of the Secretary, The Institute of Chartered Accountants of India, payable at New Delhi.

- Signature of Candidate
 Name in Full
 Enrolment Number
 Address

Dated this _____ day of _____ 19_____.
 No. 54-EL(1)/6/67.—In pursuance of the Institute's Notification No. 54-EL(1)/5/67, dated 1st April 1967, it is hereby notified that the list of members eligible to vote for purposes of the Sixth Election to the Regional Councils to be held in the year 1967, shall be the same as the list of members eligible to vote for election to the Seventh Council, published under Notification No. 54-EL(1)/4/67, dated 1st April 1967.

No. 54-EL(1)/7/67.—In pursuance of sub-regulation (4) of regulation 64 and clause (iii) of sub-regulation (1) of regulation 112 of the Chartered Accountants Regulations, 1964, it is hereby notified that the lists of members eligible to vote for the various constituencies, for the seventh election to the Council of the Institute of Chartered Accountants of India and the sixth election to the Regional Councils of the Institute, will be available on payment of Rs. 10 per copy (excluding postage) for any of the five regional constituencies, from the office of the Institute at Indraprastha Marg, New Delhi-1, on or after 1st April 1967.

C. BALAKRISHNAN
 Secretary.

BAR COUNCIL OF INDIA

Amendment of the rules of the Council in Part III-A on the standards of Legal Education and recognition of degrees in law for admission as Advocate.

The rules of the Council have been amended by the Council at its meeting on the 12th of March, 1967 as set out in the following resolution of the Council:—

"RESOLUTION NO. 40/1967

A. RESOLVED that the recommendations of the Legal Education Committee as contained in Resolution No. 2/1967 (LEC) be approved and that the Rules of the Council in Part III-A on the Standards of Legal Education and recognition of degrees in law for admission as Advocates be and are hereby amended by the substitution of the following in lieu of the rules now in force:—

Rule 1 : No person shall be eligible for enrolment under the Advocates Act, 1961 unless at the time of joining the course of instruction in law for a degree in law he is a graduate of a University.

Rule 2 : The duration of the course of instruction in law adequate for the purpose of Rule 1 shall be a three-year course as hereinafter prescribed.

Rule 3 : The strength of a Law class shall not ordinarily exceed eighty pupils.

Rule 4 : The course of instruction shall include

- (a) the following ten subjects :—
 - (1) Indian Legal and Constitutional History
 - (2) Contracts
 - (3) Torts
 - (4) Family Law including Hindu and Mubhammadan Law
 - (5) Crimes and Procedure
 - (6) Constitutional Law of India
 - (7) Property Law
 - (8) Evidence
 - (9) Legal Theory (Jurisprudence and Comparative Law)
 - (10) Civil Procedure and Limitation, Arbitration.
- (b) Not less than six more subjects, 4 of which shall be from amongst the following :—
 - (1) Administrative Law
 - (2) Equity
 - (3) Public International Law
 - (4) Company Law
 - (5) Labour Law
 - (6) Taxation
 - (7) International Organisation
 - (8) Bankruptcy
 - (9) Law of Co-operation and Public Control of Business
 - (10) Military Law
 - (11) Insurance
 - (12) Trusts and other Fiduciary obligations
 - (13) Trade Marks and Patents
 - (14) International Economic Law
 - (15) Criminology and Criminal Administration
 - (16) Interpretation of Statutes and Principles of Legislation
 - (17) Legal Remedies, and
 - (18) Private International Law.

Rule 5 : During the last year of the course mentioned in Rule 2 instruction may be imparted for a period of six months in the Rules of Courts and in Drafting of Pleadings and Documents.

Rule 6 : The examinations shall ordinarily be held at the end of every year. The Universities shall however, be at liberty to hold examinations at the end of every 6 months. Suitable allocation of subjects for the period of one year or six months as the case may be shall be made.

Rule 7 : Every University shall endeavour to supplement the lecture method with the case method, tutorials and other modern techniques of imparting legal education.

Rule 8 : Full-time teachers of law shall ordinarily be holders of a Master's degree in Law, and part-time teachers shall have a minimum practice of 5 years at the Bar.

Rule 9 : Universities shall endeavour to establish or recognise only those colleges which have whole time day classes in law and preferably full-time law schools which exclusively teach law.

Rule 10 : The three-year degree course mentioned in Rule 2 shall be instituted not later than the beginning of the academic year 1967 provided that on the recommendation of the University Grants Commission a later academic year may be prescribed for any individual University.

B. RESOLVED FURTHER that the rules as thus amended do come into force on Sunday, the 12th March, 1967."

A. N. VEERARAGHAVAN
Secretary.
Bar Council of India.

mysore state electricity board

Bangalore-1, the 7th March 1967

No. Admn/30820.—This is to notify that the contract entered into with the State Bank of India, Madras, who had been appointed as the Registrar under Section 36 of Mysore State Electricity (Supply) Rules 1957, for the management of the public loans of the Mysore State Electricity Board, detailed below will be terminated with effect from 27th April 1967.

Sl. No.	Date of Flootation	Term (Years)	Amount of the Loan Rs.
1.	25-4-1961	10	1,10,00,000
2.	4-12-1961	10	2,02,96,000
3.	25-10-1962	10	3,01,41,800
4.	20-9-1963	12	3,06,38,100
5.	7-10-1964	12	2,02,67,900
6.	22-11-1965	12	1,01,00,000

The Chief Accounts Officer, Mysore State Electricity Board, Post Bag No. 357, Krishnarajendra Circle, Bangalore-1, has been appointed as the Registrar for the management of these loans with effect from 27-4-1967 by the Board. All correspondences relating to these loans may be carried on with the above officer on and after 27-4-1967. The Stock Transfer Books will be kept closed during the period from 13-3-1967 to 30-4-1967.

Sd/- ILLEGIBLE
Secretary,
M.S.E.B.

EMPLOYEES' STATE INSURANCE CORPORATION

Madras-14, the 13th March 1967

No. MR/CO-3(20)/60(1).—It is hereby notified that a Local Committee set up *vide* this office Notification No. MR/CO-3(5)/63(1), dated 31-10-1963 for Dalmiapuram area under Regulation 10-A of the E.S.I. (General) Regulations 1950, has been reconstituted with the following members with effect from 13th March 1967 :

CHAIRMAN

Under Regulation 10-A(1)(a)

1. The District Medical Officer, Tiruchirapalli.

MEMBERS

Under Regulation 10-A(1)(b)

2. The Labour Officer, Tiruchirapalli.

Under Regulation 10-A(1)(c)

3. The Medical Officer, Government Hospital, Lalgudi.

Under Regulation 10-A(1)(d)

4. Shri C. Swamidoss, Personal Manager, Dalmia Cement (Bharat) Limited, Dalmiapuram, (Affiliated to Employers' Federation of Southern India), Dalmiapuram.
5. Jason Samuel, M.B.B.S., Medical Officer, Utilisation Dispensary, Dalmia Cement (Bharat) Limited, Dalmiapuram.

Under Regulation 10-A(1)(e)

6. Shri A. Venkataraman, Secretary, Dalmia Cement National Workers' Union, (I.N.T.U.C.), Dalmiapuram.
7. Shri K. Ramiah, Vice-President, Cement Workers' Union, Dalmiapuram.

Under Regulation 10-A(1)(f)

8. The Manager, Local Office, E.S.I. Corporation, Tiruchirapalli.

(By order)
A. S. SEYMOUR
Regional Director

Kanpur, the 17th March 1967

No. K/Estt/159(5)/67.—It is hereby notified that Local Committee, Allahabad area, U.P. Region set up under Regulation 10-A of the E.S.I. (General) Regulations 1950, has been reconstituted to consist of the following members with effect from the date of this notification:—

CHAIRMAN :

Under Regulation 10-A(1)(a)

1. Civil Surgeon, Allahabad (*Ex-Officio*).

MEMBERS :

Under Regulation 10-A(1)(b)

2. Regional Asstt. Labour Commissioner, Allahabad Region, Allahabad (*Ex-Officio*).

Under Regulation 10-A(1)(c)

3. Senior Insurance Medical Officer, E.S.I. Dispensary, Allahabad (*Ex-Officio*).

Under Regulation 10-A(1)(d)

4. Shri M. A. Gafoor, M/s Swadeshi Cotton Mills, Industrial Colony, Naini, Allahabad.

5. Shri R. B. Bhargava, M/s Bharat Straw Board & Paper Mills Ltd., Industrial Colony, Naini, Allahabad.

Under Regulation 10-A(1)(e)

6. Shri P. N. Tiwari, M.Sc; Secretary, U.P., I.N.T.U.C., 6-D, Kamla Nehru Road, Allahabad.

7. Sri Raghvendra Singh, B.Sc., M.A., L.L.B., Advocate, Secretary, U.P., I.N.T.U.C., 2-B, Katra Machhali Bazar, Allahabad.

Under Regulation 10-A(1)(f)

8. The Manager, E.S.I. Corporation, Local Office, Allahabad. (*Ex-Officio*).

By Order,

I. C. SARIN
Regional Director.

BEFORE THE RAILWAY RATES TRIBUNAL AT MADRAS

(Public Notice under Rule 19(3) and (4), Railway Rates Tribunal Rules, 1959).

COMPLAINT No. 4 of 1966.

The West Coast Paper Mills Ltd., Complainant
vs.

The Union of India owning the South Central Railway and represented by its General Manager, Secunderabad. Respondent

Whereas the complainant above named has filed a complaint under Section 41(1), Indian Railways Act, 1890, stating that he has a paper mill at Bangur Nagar, Dandeli in the North Kanara District of the Mysore State; that Alnavar-Dandeli branch line is 32 Kms; that prior to 1-2-1964 the goods traffic from and to Alnavar on the main line was charged on the usual basis as per I.R.C.A. Goods Tariff and between Alnavar and Dandeli all goods traffic was charged on flat rates treating as fresh bookings; that the complainant, aggrieved by the above system, filed complaint No. 4 of 1963 before the Railway Rates Tribunal to direct the Southern Railway to apply class rates on their traffic to and from Dandeli on continuous mileage; that during the pendency of the above complaint, the Southern Railway introduced with effect from 1-2-1964, standard telescopic charges but on an inflated distance of 96 Kms. between Alnavar and Dandeli when the actual distance is only 32 Kms; that thereupon the complainant amended the complaint requesting the Tribunal to direct the Railways to levy standard rates and charges on their traffic between Alnavar and Dandeli also on continuous actual distance and not on inflated distance; that the Tribunal by its judgment dated 18-4-1966 in the said complaint No. 4 of 1963 declared "We hereby declare that the class rates with inflated distance applicable to the Alnavar-Dandeli branch subject the complainant to an undue disadvantage in contravention of section 28 of the Indian Railways Act and also render unreasonable *per se* the rates for the complainant's traffic to and from Dandeli"; that the Union of India filed an appeal and a stay petition in the Supreme Court of India against the judgment and order of the Tribunal in Complaint No. 4 of 1963 and their stay petition was rejected by the Supreme Court, the South Central Railway on 5-11-1966 quoted station-to-station rates at the class rates on the actual distance only to the specified commodities between the specific pairs of stations mentioned in the complaint; that by reason of the judgment of the Tribunal in Complaint No. 4 of 1963, they are automatically entitled to relief from the class rates with inflated distance over the Alnavar-Dandeli Branch line in respect of whatever stations the specified commodities may be despatched to or from, so long as the carriage included this Branch line; that since the respondent has persisted in charging class rate with inflated distance in respect of

traffic emanating from stations other than those specifically mentioned in the complaint, they have to file this complaint for relief regarding 97 other pairs of stations mentioned in annexure 'A' to the Complaint; that the rates for carriage of traffic in respect of the specified commodities mentioned below are discriminatory and offend the provisions of Sec. 28 of the Railways Act, since Paper mills situated in other parts of India are not subject to this discriminatory treatment of charging on an inflated basis; that the paper and pulp board manufactured by the complainant are despatched to various places in India, where they have to meet competition from other mills and that they are unduly prejudiced by reason of having to pay extra freight as a result of the inflated distance; that this disadvantage and prejudice are due solely to the policy of the respondent in charging their traffic on an unreasonable inflated distance basis; that the rates for the carriage of the commodities mentioned below between the specified 97 pairs of stations are unreasonable *per se* and to levy and collect a rate or charge for 96 Kms. when the actual distance is only 32 Kms. is by itself unreasonable;

And Whereas the complainant has prayed for (1) directing the respondent to levy standard rates and charges between Alnavar and Dandeli and vice versa on continuous actual distance and not on inflated distance for the commodities, Soap stone powder, soap stone, bamboos, furnace oil, caustic soda, soda ash, lime stone, alum, sodium sulphate, paper and pulp board between 97 pairs of stations mentioned in annexure 'A' of the Complaint; (2) granting the relief with effect from the date of the complaint and (3) awarding costs to the complainant;

And Whereas it is thought that there may be persons who are not on record but have the same interest in the proceedings as the complainant or the respondent above named;

This public notice is therefore given under Rule 19(3) and (4) of the Railway Rates Tribunal Rules, 1959, so that any person who desires may petition the Tribunal within 30 days of the publication of this notice for leave to intervene in support of or opposition to the reliefs sought in the complaint or be added on the side of the complainant or the respondent setting forth the grounds of the proposed intervention, the position and the interest of the petitioner in the proceedings or the grounds for being added as a party in the above complaint. Any decision given by the Tribunal after this public notice shall apply to all such persons.

Given under my hand and seal of the Tribunal, this 15th day of March, 1967, at "Adyar House", No. 1, Pugh's Road, Rajah Annamalaipuram, Madras-28.

V. N. GOPALA DESIKAN
Secretary,
Railway Rates Tribunal.

SEAL OF THE
RAILWAY RATES
TRIBUNAL